

REMARKS

1. Claim Objections – Claims 1-105

Claims 1-105 are pending in the present application and were rejected in the Office Action dated February 25, 2004 due to informalities. The informalities have now been corrected.

2. Claim Rejections - 35 U.S.C. §112, first paragraph – Claims 16 and 58

Claims 16 and 58 are pending in the present application and were rejected in the Office Action dated February 25, 2004 under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Applicants respectfully traverse this rejection. However, in the interest of obtaining an expedient issuance of the present application, claims 16 and 58 have been canceled without prejudice, thereby rendering the rejection moot.

3. Claim rejections – Obviousness-type Double Patenting – Claims 1-15, 17-57, and 59-105

Claims 1-15, 17-57, and 59-105 are pending in the present application and were provisionally rejected in the Office Action dated February 25, 2004 under the judicially created doctrine of obviousness-type double patenting over claims 1-15, 17-57, and 59-105 of co-pending Patent Application No. 09/551,680 (hereinafter “the ‘680 application”). It is noted that the ‘680 application issued on July 20, 2004 as U.S. Patent No. 6,763,998. Accordingly, a terminal disclaimer is enclosed herewith, to obviate the above stated obviousness-type double patenting rejection.

4. Telephonic Interview of July 30, 2004

Applicants’ representative, the Examiner, and the Examiner’s Primary, conducted a telephonic interview on July 30, 2004, regarding the outstanding Office Action. During this telephonic interview, the Applicants’ representative submitted arguments to clarify the differences between the claimed invention and the cited reference, Luciano et al. (U.S. Patent No. 6,168,521), and to show that the claimed invention is patentably distinct over the cited

reference. Specifically, the Applicants' representative explained how the Luciano et al. reference does not teach or suggest the claimed elements of (1) a payout dispenser for securely storing and dispensing a payout, and (2) a terminal for authorizing the dispensing of the payout. Agreement was reached that the cashier terminal in the Luciano et al. reference is not sufficient to teach or suggest either of the two above-stated claim elements. Accordingly, Applicants respectfully submit that the Luciano et al. reference is not capable of supporting either a 35 U.S.C. § 102(e) rejection or a 35 U.S.C. § 103(a) rejection of the claimed invention.

5. Claim Rejections - 35 U.S.C. §102(e) – Claims 1-9, 13-25, 29-51, 55-70, and 74-105

Claims 1-9, 13-25, 29-51, 55-70, and 74-105 are pending in the present application and were rejected in the Office Action dated May 7, 2004 under 35 U.S.C. § 102(e) as being anticipated over Luciano et al. (U.S. Patent No. 6,168,521). Applicants respectfully traverse this rejection.

The Examiner states that the Luciano et al. reference anticipates claims 1-9, 13-25, 29-51, 55-70, and 74-105 (i.e., includes each and every element of the claims 1-9, 13-25, 29-51, 55-70, and 74-105). However, as explained above in Section 4, the Luciano et al. reference does not teach or suggest the claimed elements of (1) a payout dispenser for securely storing and dispensing a payout, and (2) a terminal for authorizing the dispensing of the payout, as required by the claimed invention of the present application. Specifically, the cashier terminal in the Luciano et al. reference is not sufficient to teach or suggest either of the two above-stated claim elements. Accordingly, Applicants respectfully submit that the 35 U.S.C. § 102(e) rejection of the claims 1-9, 13-25, 29-51, 55-70, and 74-105 has been overcome.

6. Claim Rejections - 35 U.S.C. §103(a) – Claims 10-12, 26-28, 52-54, and 71-73

Claims 10-12, 26-28, 52-54, and 71-73 are pending in the present application and were rejected in the Office Action dated May 7, 2004 under 35 U.S.C. § 103(a) as being unpatentable over Luciano et al. (U.S. Patent No. 6,168,521). Applicants respectfully traverse this rejection.

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The Examiner states that the Luciano et al. reference renders claims 10-12, 26-28, 52-54, and 71-73 unpatentable (i.e., teaches or suggests each and every element of the claims 10-12, 26-28, 52-54, and 71-73). However, as explained above in Section 4, the Luciano et al. reference does not teach or suggest the claimed elements of (1) a payout dispenser for securely storing and dispensing a payout, and (2) a terminal for authorizing the dispensing of the payout, as required by the claimed invention of the present application. Specifically, the cashier terminal in the Luciano et al. reference is not sufficient to teach or suggest either of the two above-stated claim elements. Accordingly, Applicants respectfully submit that the 35 U.S.C. § 103(a) rejection of the claims 10-12, 26-28, 52-54, and 71-73 has been overcome.

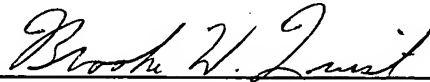
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CONCLUSION

Applicant has made an earnest and bona fide effort to clarify the issues before the Examiner and to place this case in condition for allowance. Therefore, consideration and allowance of claims 1-105 is believed to be in order, and an early Notice of Allowance to this effect is respectfully requested. If the Examiner should have any questions concerning the foregoing, the Examiner is invited to telephone the undersigned attorney at (310) 712-8319. The undersigned attorney can normally be reached Monday through Friday from about 9:30 AM to 6:30 PM Pacific Time.

Respectfully submitted,

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